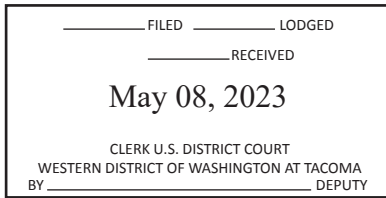


Chief Magistrate Judge David W. Christel



UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KORY GENE GREENWOOD,

Defendant.

NO. 3:23-mj-05178

COMPLAINT FOR VIOLATIONS  
18 U.S.C. § 922(g)(1)  
21 U.S.C. §§ 841(a)(1) and (b)(1)(C)

BEFORE, David W. Christel, United States Magistrate Judge, U.S. Courthouse,  
Tacoma, Washington.

The undersigned complainant being duly sworn states:

**COUNT 1**

**(Unlawful Possession of a Firearm)**

On or about June 7, 2022, in Pierce County, within the Western District of  
Washington, KORY GENE GREENWOOD, knowing he had been convicted of the  
following crime punishable by a term of imprisonment exceeding one year:

1           i.       *Unlawful Possession of a Controlled Substance with Intent to*  
2                   *Deliver (Heroin)*, in Pierce County Superior Court, under case  
3                   number 16-1-03128-7, on or about July 12, 2017,  
4 did knowingly possess, and did aid and abet the possession of, in and affecting interstate  
5 and foreign commerce, a firearm, to wit: an FN Manufacturing FNX-45 .45 caliber pistol,  
6 that had been shipped and transported in interstate and foreign commerce.

7           All in violation of Title 18, United States Code, Section 922(g)(1).

8                                   **COUNT 2**

9                           **(Unlawful Possession of Ammunition)**

10           On or about June 7, 2022, in Pierce County, within the Western District of  
11 Washington, KORY GENE GREENWOOD, knowing he had been convicted of the  
12 following crime punishable by a term of imprisonment exceeding one year:

13           i.       *Unlawful Possession of a Controlled Substance with Intent to*  
14                   *Deliver (Heroin)*, in Pierce County Superior Court, under case  
15                   number 16-1-03128-7, on or about July 12, 2017,  
16 did knowingly possess, and did aid and abet the possession of, in and affecting interstate  
17 and foreign commerce, ammunition that had been shipped and transported in interstate  
18 and foreign commerce.

19           All in violation of Title 18, United States Code, Section 922(g)(1)

20                                   **COUNT 3**

21                           **(Possession of Controlled Substance with Intent to Distribute)**

22           On or about June 7, 2022, in Pierce County, within the Western District of  
23 Washington, KORY GENE GREENWOOD, did knowingly and intentionally possess,  
24 with the intent to distribute, a controlled substance, including: N-phenyl-N-[1-(2-  
25 phenylethyl)-4-piperidinyl] propanamide (Fentanyl), a substance controlled under Title  
26 21, United States Code.

27           All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

1 And the complainant states that this Complaint is based on the following  
2 information.

3 I, Brian Arnold, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF),  
4 being first duly sworn on oath, depose and say:

5 **INTRODUCTION**

6 1. The information in this affidavit is provided for the limited purpose of  
7 establishing probable cause and is not a complete statement of all the facts related to this  
8 case. I have reviewed the facts of the case in this investigation; however, the investigation  
9 is still ongoing. Based on this, I am familiar with the facts and circumstances of this  
10 investigation.

11 **SUMMARY OF INVESTIGATION**

12 2. On June 7, 2022, Washington Department of Corrections (DOC)  
13 Community Corrections Officers (CCO) went to 10020 South Alaska Street, Unit A,  
14 Tacoma, WA 98444 to apprehend KORY GENE GREENWOOD on an outstanding DOC  
15 arrest warrant. They had received an anonymous tip that GREENWOOD was again  
16 residing at that address; CCOs had previously apprehended GREENWOOD there on  
17 March 10, 2022. The CCOs contacted the landlord and verified GREENWOOD had been  
18 living at the residence for approximately two months. Additionally, on June 1, 2022,  
19 CCOs had seen a dark blue BMW, Washington license number BXT9033, parked out  
20 front. GREENWOOD had previously stated, during the March 10 arrest referenced  
21 above, that this was his vehicle.

22 3. On June 7, 2022, as the CCOs arrived, one officer notified the others that a  
23 vehicle had just arrived. The passenger, a white male, had entered the apartment, while  
24 the driver was still in the vehicle watching the arrest team. CCOs contacted the driver and  
25 identified him as D.F. (whose name is known to me but not included in this affidavit).  
26 D.F. said that he had just dropped off his brother, "Joseph," and was waiting for him.  
27

1 CCOs went to the front door. After knocking, announcing, and identifying themselves,  
2 A.O. (whose name is known to me but not included in this affidavit) opened the door.  
3 CCOs directed A.O. to stand in the parking lot of the complex away from the front door.  
4 Joseph S., then GREENWOOD, also exited. CCOs detained both men in the back of a  
5 DOC vehicle. Once all three subjects had exited the apartment, the CCOs entered to  
6 ensure there were no other occupants. During this process they observed military body  
7 armor in the hallway and upon examination determined it contained Kevlar panels along  
8 with a ceramic plate. Because possession of body armor is a violation of  
9 GREENWOOD's DOC supervision, the CCOs had reasonable suspicion there may be  
10 further violations present in the apartment and conducted a search of the residence.  
11 CCOs determined Joseph S. was also on DOC supervision and had a felony DOC  
12 warrant. Officers told D.F. his brother (Joseph S.) would be booked into jail and that D.F.  
13 was free to leave (which he did).

14 4. During the search of GREENWOOD's apartment, CCOs found a blue  
15 backpack on a shelf in the only bedroom. Inside the backpack, CCOs found a variety of  
16 ammunition, three digital scales, and a small plastic bag containing multiple small 1" x 1"  
17 type plastic baggies. Based on their experience and training, CCOs know this  
18 combination of items (i.e., the scale and baggies) is commonly seen with individuals who  
19 are involved in distribution of controlled substances. CCOs also found a red backpack in  
20 the kitchen area. Inside the red backpack, they found:

- 21 • A red and yellow rubber container with a large quantity of small blue pills  
22 marked "M" on one side and "30" on the other. This is consistent with pills  
23 containing fentanyl and so, due to the danger associated with fentanyl, the  
24 CCOs sealed the container and did not test the pills.
- 25 • A loaded (10 rounds) FN FNX-45 Tactical semi-automatic .45 caliber  
26 pistol (SN: FX3U074804). There was no round chambered.
- 27 • Multiple loose rounds of ammunition.

- A digital scale.

5. Located in the same area next to the red backpack was an AR style PMAG 30-round magazine loaded with 20 live rounds of .223/5.56x45mm ammunition. CCOs also found, in proximity to the red backpack, a black leather bag containing a variety of ammunition.

6. CCOs advised both GREENWOOD and Joseph S. of their *Miranda* rights. The men acknowledged they understood their rights. When CCOs asked Joseph S. if he was willing to speak to them regarding any items discovered in the residence, he said no. CCOs did not ask him any further questions. When CCOs asked GREENWOOD if he was willing to speak to them, GREENWOOD was reluctant at first but said, “nothing in the house is his.” By this statement it was apparent to the CCOs that GREENWOOD was referring to Joseph S. When CCOs asked GREENWOOD if the firearm and suspected fentanyl belonged to him, GREENWOOD stated he wished to make no further statements but again said, “nothing in the house is his.” CCOs believed GREENWOOD was again referring to Joseph S. CCOs did not ask GREENWOOD any further questions. CCOs also spoke to A.O., who immediately stated she did not know about anything in the residence. CCOs did not ask A.O. any further questions. CCOs transported GREENWOOD and Joseph S. to jail on their respective warrants.

7. On June 9, 2022, CCO Natalie Zedoff was reviewing phone calls GREENWOOD made from the Nisqually Jail. CCO Zedoff advised CCO Steve DePoister to review a call GREENWOOD made to telephone number 253-442-0200 on June 8, 2022, at 9:23 p.m. CCO DePoister reviewed the call and found that the phone number GREENWOOD was calling appeared to be his own, as the Caller ID was listed as “Kory Greenwood.” During the call, GREENWOOD was speaking to a female with a male in the background. At the 10:45-minute mark of the recorded call, GREENWOOD and the female began to talk about the arrest. CCO DePoister provided a partial transcript of the conversation, beginning at the 10:55-minute mark:

1 GREENWOOD: I should have flushed everything, I don't know why I  
2 didn't flush everything.

3 Female: Flush everything?

4 GREENWOOD: Yeah

5 Female: What do you mean?

6 GREENWOOD: Down the toilet.

7 Female: Why didn't you?

8 GREENWOOD: I don't know

9 Female: Shit, what did they get?

10 GREENWOOD: Everything

11 Female: Like what though?

12 GREENWOOD: Like 2,000 blues and a fucking gun.

13 8. The Washington State Patrol (WSP) laboratory analyzed the "M30" pills  
14 found in the red backpack. There were approximately 1,647 pills, and the laboratory  
15 identified the presence of Fentanyl.

16 9. On April 29, 2023, officers with the Puyallup Police Department arrested  
17 GREENWOOD on an outstanding DOC warrant. GREENWOOD was at the driver's side  
18 rear of a vehicle, pumping gas at a Fred Meyer fuel station. Four other people were in the  
19 vehicle in the front passenger seat and rear seats. An officer noticed a Glock handgun that  
20 was partially covered by a sweatshirt on the driver's seat. This firearm appeared real, as  
21 the officer could see the rifling in the barrel from outside of the vehicle. Officers were  
22 sorting through the situation as an employee from Herb's Towing arrived to impound the  
23 vehicle onto his flat-bed truck. The Herb's Towing driver soon called the officers'  
24 attention and advised them that a second handgun fell from the driver's side rear  
25 tire/wheel well as the tow driver went to winch the vehicle onto his flat bed.

26 10. On May 2, 2023, I assisted with a search warrant execution on the vehicle  
27 GREENWOOD had been driving on April 29. The search revealed several items, to

1 include a locked safe box under the passenger seat that contained multiple bags of  
2 suspected fentanyl pills, fentanyl powder, heroin, methamphetamine, and Xanax bars. We  
3 also recovered the Glock handgun previously observed in the driver's seat and discovered  
4 it had a loaded magazine with an empty chamber.

5 11. On May 4, 2023, Puyallup Police Department Officer Matthew Olmstead  
6 and I interviewed GREENWOOD. He was Mirandized prior to the interview, and he  
7 admitted that the narcotics (found in the vehicle during execution of the May 2, 2023,  
8 search warrant) were his. However, he said he did not know where they were located, and  
9 did not seem to how much there was, but he knew the narcotics were in the car. He also  
10 told us who he got the two firearms from that were found during his arrest on April 29,  
11 2023 (i.e., the one on the driver's seat and the one in the tire/wheel well).

12 12. I have reviewed GREENWOOD's criminal history which includes the  
13 following felony conviction: *Unlawful Possession of a Controlled Substance with Intent*  
14 *to Deliver (Heroin)*, in Pierce County Superior Court, under case number 16-1-03128-7,  
15 on or about July 12, 2017, with a total sentence imposed of 54 months (i.e., 30 months on  
16 the substantive drug offense with a 24-month enhancement for committing the offense in  
17 a prohibited zone).

### 18 CONCLUSION

19 13. Based on the above facts, I respectfully submit that there is probable cause  
20 to believe that KORY GENE GREENWOOD did knowingly and intentionally possess a  
21 firearm and ammunition in violation of Title 18, United States Code, Section 922(g)(1),  
22 and knowingly and intentionally possessed Fentanyl with the intent to distribute it in  
23 violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

24 //

25 //

26 //

1           14. I am submitting this Complaint by reliable electronic means pursuant to  
2 Federal Rules of Criminal Procedure 4.1 and 41(d)(3).

3  
4  Digitally signed by BRIAN  
ARNOLD  
Date: 2023.05.08 09:54:58 -07'00'

5 BRIAN ARNOLD, AFFIANT  
6 Special Agent, ATF

7  
8           The above-named agent provided a sworn statement attesting to the truth of the  
9 contents of the forgoing affidavit on the 8th day of May 2023. The Court hereby finds  
10 that there is probable cause to believe the defendant committed the offenses set forth in  
11 the Complaint.

12 

13 DAVID W. CHRISTEL  
14 United States Magistrate Judge